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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,270	01/21/2004	Kia Silverbrook	RRA23US	1025
24011 7590 05/20/2010 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA				
EXAMINER UHLENHAKE, JASON S				
ART UNIT 2853		PAPER NUMBER		
NOTIFICATION DATE 05/20/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/760,270

Applicant(s)

SILVERBROOK, KIA

Examiner

JASON S. UHLENHAKE

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Page 14, line 24 – page 15, line 19 of the specification (1/21/2004) discloses upgrading the cradle unit with a PCB unit with a presence of 2 SoPEC chips over a PCB unit with the presence of 1 SoPEC chip which operates the cartridge at a lower speed (Figures 32-33). However there is no disclosure of determining or selecting a number of controllers (SoPEC chips) based on a printing capability of the print head.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claim 1, Lines 3-4 of the last paragraph,

it is unclear to the examiner what or who is selecting the number of controllers based on a printing capability of the print head (CPU, user, main controller etc.).

Additionally, since the specification fails to provide support for the claimed limitation and the claims are to be interpreted in light of the specification, the scope of the claim is unclear.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Domoto et al (U.S. Pat. 4,580,148) in view of Bolash et al (U.S. Pat. 6,183,063)

Domoto discloses:

- ***regarding claim 1***, an inkjet printer cradle including: a body (printer body) defining an elongate recess dimensioned to locate a removable elongate inkjet cartridge (41), the removable inkjet cartridge having a page width print head (40) and an ink supply for supplying ink to the print head (Column 8, Lines 33-40)
- power and data terminals positioned within either end (terminate at one end) of the recess to contact corresponding power and data terminals located upon

either end of the cartridge upon insertion of the cartridge into the recess (Column 6, Lines 40-48; Column 8, Lines 33-59)

- further, the claim language regarding the printed circuit board (last paragraph of claim 1) does not further limit the claimed apparatus. The claim is directed to an inkjet printer cradle and the printed circuit board does not limit the structure of the inkjet printer cradle, therefore Domoto is capable of using a number of controllers to control the print head.

- ***regarding claims 3, 4***, wherein the recess is elongate (Figures 6-7; Column 8, Lines 33-59)

Domoto does not disclose expressly the following:

- ***regarding claim 1***, terminals positioned on longitudinal end; the contacted power terminals of the cradle and cartridge communicating power to inkjet nozzles of the print head via busbars which extend along the page width of the print head and the contacted data terminals of the cradle and cartridge communicating data to the print head at both ends of the page width of the print head

- ***regarding claim 2***, wherein the terminals are located upon one or more walls of the recess

- ***regarding claim 3***, wherein the terminals are located on at least one end wall of the recess

- ***regarding claim 4***, wherein the terminals are located on opposing end walls of the recess

However regarding claim 1, Domoto discloses terminal ends of the electrodes are in contact with circuitry in the carriage and printer in order to enable selective addressing of data and power to each of the heating elements. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate communication via busbars to extend along the width of the page width print head for the purpose of selectively enabling each of the heating elements (Column 6, Lines 40-48; Column 8, Lines 33-59)

Bolash discloses:

- ***regarding claim 1***, terminals positioned on the longitudinal end of the recess (Figure 1A; Column 3, Line 65 – Column 4, Line 11), for the purpose of activating ink ejection devices on the print head
- ***regarding claim 2***, wherein the terminals are located upon one or more walls of the recess (Figure 1A; Column 3, Line 65 – Column 4, Line 11), for the purpose of activating ink ejection devices on the print head
- ***regarding claim 3***, wherein the terminals are located on at least one end wall of the recess. (Figure 1A: Column 3, Line 65 – Column 4, Line 11), for the purpose of activating ink ejection devices on the print head
- ***regarding claim 4***, wherein the terminals are located on opposing end wall of the recess (Figure 1A: Column 3, Line 65 – Column 4, Line 11), for the purpose of activating ink ejection devices on the print head

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Bolash into the device of Domoto,

for the purpose of activating ink ejection devices on the print head and selectively enabling each of the heating elements

Response to Arguments

Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON S. UHLENHAKE whose telephone number is (571)272-5916. The examiner can normally be reached on Monday-Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JASON S UHLENHAKE/
Examiner, Art Unit 2853
May 14, 2010

/Julian D. Huffman/
Primary Examiner, Art Unit 2853